

*Public Service Commission  
Of West Virginia*

201 Brooks Street, P. O. Box 812  
Charleston, West Virginia 25323



Phone: (304) 340-0300  
FAX: (304) 340-0325

September 27, 2011

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FCC Mail Room

Marlene H. Dortch, Secretary  
Federal Communications Commission  
Office of the Secretary  
9300 East Hampton Drive  
Capitol Heights, Maryland 20743  
(overnight mail)

(Duplicate copy to:)  
Marlene H. Dortch, Secretary  
Federal Communications Commission  
Office of the Secretary  
445 12<sup>th</sup> Street, SW  
Washington, DC 20554

Karen Majcher  
Universal Service Administrative Company  
2000 L Street, NW  
Suite 200  
Washington, DC 20036

Re: Supplemental Certification of High Cost Support Pursuant to 47  
C.F.R. §§54.313, 54.314 and 54.316, CC Docket No. 96-45

Dear Ms. Dortch and Ms. Majcher:

The Public Service Commission of West Virginia (WVPSC) submits this supplement to its annual certification filed in accordance with 47 C.F.R. §§54.313, 54.314 and 54.316. Federal Communications Commission (FCC) rules require state certifications to allow non-rural and rural incumbent local exchange carriers, or eligible telecommunications carriers (ETCs), to receive federal universal service support pursuant to 47 C.F.R. §§54.301 - 54.314.

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WVPSC filed the initial certification on September 20, 2011, by letter dated September 19, 2011.

In addition to the carriers previously certified by the September 19, 2011 letter, the WVPSC certifies that Cintex Wireless, LLC (Cintex) is eligible to receive federal universal service support from January 1, 2012, to December 31, 2012. Cintex is a non-rural competitive wireless ETC in West Virginia that is limited to Lifeline and LinkUp support. No Study Area Code is available at this time. The WVPSC also certifies that this carrier will use federal universal service support only for the provision, maintenance and upgrading of facilities and services for which the support is intended, consistent with Section 254(e) of the Communications Act of 1934, as amended. This supplemental certification is the product of formal proceedings before the WVPSC. General Investigation Regarding Certification of Federal Universal Service Funding for Eligible Telecommunications Carriers in West Virginia, Case No. 11-0818-T-GI (Commission Order, September 27, 2011) (attached hereto).

On behalf of the residents of West Virginia, WVPSC continues to express its appreciation for the efforts of the FCC to extend telecommunications services to unserved areas.

Sincerely yours,

A handwritten signature in cursive script, reading "Michael A. Albert".

Michael A. Albert  
Chairman

MJM/ldd  
Enclosures

**PUBLIC SERVICE COMMISSION  
OF WEST VIRGINIA  
CHARLESTON**

At a session of the PUBLIC SERVICE COMMISSION OF WEST VIRGINIA in the City of Charleston on the 27<sup>th</sup> day of September 2011.

CASE NO. 11-0818-T-GI (REOPENED)

GENERAL INVESTIGATION REGARDING CERTIFICATION  
OF FEDERAL UNIVERSAL SERVICE FUNDING FOR  
ELIGIBLE TELECOMMUNICATIONS CARRIERS IN WEST  
VIRGINIA.

**COMMISSION ORDER**

The Commission reopens this matter to certify Cintex Wireless, LLC (Cintex) as properly using federal Universal Service Funds (USF) for the upcoming year.

**BACKGROUND**

On June 13, 2011, the Commission initiated its annual investigation into the fitness of Eligible Telecommunications Carriers (ETCs) for continued USF support for the upcoming calendar year.

On June 23, 2011, through July 1, 2011, eighteen ETCs filed requests for certification to receive USF support in 2012. Two additional carriers filed late certification requests.

On July 5, 2011, Commission Staff filed an initial memorandum stating that it would investigate this matter.

On August 16, 2011, Staff filed a memorandum recommending that the Commission certify the eligibility of carriers that responded to the June 13, 2011 Commission Order for continued USF support. Staff also recommended that the Commission certify four additional carriers that recently obtained ETC status in West Virginia. Staff subsequently recommended that the Commission certify two additional carriers as eligible to receive continued USF. September 7, 2011 Staff Memorandum.

The Commission certified twenty-six carriers to the Federal Communications Commission (FCC) and the Universal Service Administrative Company (USAC) as eligible to continue to receive USF because the carriers are using those funds as provided by Section 254(e)

of the Telecommunications Act of 1934 as amended and codified at 47 U.S.C. §254(e) (Act). September 19, 2011 Commission Order.

On September 23, 2011, Staff filed a memorandum recommending that the Commission supplement its certification to the FCC and USAC by adding Cintex to the list of carriers previously certified under Section 254(e) of the Act.

### **DISCUSSION**

The Commission accepts the Staff recommendation to supplement its September 19, 2011 Commission Order and will certify Cintex to the FCC and USAC as eligible to receive federal universal service support in calendar year 2012, because Cintex is properly using USF support consistent with Section 254(e) of the Act. The Commission notes that it recently approved Cintex as an ETC in West Virginia. Cintex Wireless, LLC, Case No. 11-0256-C-PC (Commission Order, July 14, 2011). Consistent with the ETC proceeding, this USF certification is limited to providing Lifeline and LinkUp service to eligible residents.

### **FINDING OF FACT**

Staff recommended that the Commission certify Cintex as eligible to receive continued USF in 2012 because Cintex is using USF consistent with Section 254(e) of the Act. September 23, 2011 Staff Memorandum.

### **CONCLUSIONS OF LAW**

1. The Commission opened the annual general investigation to assess the eligibility of ETCs to continue to receive USF support. June 13, 2011 Commission Order.
2. The Commission approved Cintex as an ETC in West Virginia after issuing the June 13, 2011 Commission Order. Case No. 11-0256-C-PC (Commission Order, July 14, 2011).
3. Cintex should be certified by letter to the FCC to receive federal universal support during calendar year 2012, because it uses federal universal service support only for the provision, maintenance and upgrading of facilities and services for which the support is intended consistent with Section 254(e) of the Act.

### **ORDER**

IT IS THEREFORE ORDERED that this matter is reopened.

of the Telecommunications Act of 1934 as amended and codified at 47 U.S.C. §254(e) (Act).  
September 19, 2011 Commission Order.

On September 23, 2011, Staff filed a memorandum recommending that the Commission supplement its certification to the FCC and USAC by adding Cintex to the list of carriers previously certified under Section 254(e) of the Act.

### **DISCUSSION**

The Commission accepts the Staff recommendation to supplement its September 19, 2011 Commission Order and will certify Cintex to the FCC and USAC as eligible to receive federal universal service support in calendar year 2012, because Cintex is properly using USF support consistent with Section 254(e) of the Act. The Commission notes that it recently approved Cintex as an ETC in West Virginia. Cintex Wireless, LLC, Case No. 11-0256-C-PC (Commission Order, July 14, 2011). Consistent with the ETC proceeding, this USF certification is limited to providing Lifeline and LinkUp service to eligible residents.

### **FINDING OF FACT**

Staff recommended that the Commission certify Cintex as eligible to receive continued USF in 2012 because Cintex is using USF consistent with Section 254(e) of the Act. September 23, 2011 Staff Memorandum.

### **CONCLUSIONS OF LAW**

1. The Commission opened the annual general investigation to assess the eligibility of ETCs to continue to receive USF support. June 13, 2011 Commission Order.
2. The Commission approved Cintex as an ETC in West Virginia after issuing the June 13, 2011 Commission Order. Case No. 11-0256-C-PC (Commission Order, July 14, 2011).
3. Cintex should be certified by letter to the FCC to receive federal universal support during calendar year 2012, because it uses federal universal service support only for the provision, maintenance and upgrading of facilities and services for which the support is intended consistent with Section 254(e) of the Act.

### **ORDER**

IT IS THEREFORE ORDERED that this matter is reopened.

IT IS FURTHER ORDERED that a certification be issued to the FCC and USAC stating that Cintex is using federal universal service support only for the provision, maintenance and upgrading of facilities and services for which the support is intended, consistent with Section 254(e) of the Act.

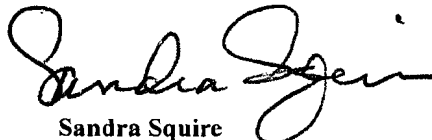
IT IS FURTHER ORDERED that it is appropriate to certify to the FCC and USAC that Cintex is eligible to continue receiving federal universal service support for calendar year 2012.

IT IS FURTHER ORDERED that the Executive Secretary shall docket a copy of the Commission letter to the FCC issued pursuant to this Order.

IT IS FURTHER ORDERED that on entry of this Order, this matter shall be removed from the active docket of Commission cases.

IT IS FURTHER ORDERED that the Commission Executive Secretary serve a copy of this Order by electronic service on all ETCs and parties requesting that service, on all other parties by United States First Class Mail and on Staff by hand delivery.

A True Copy, Teste:

  
Sandra Squire  
Executive Secretary

MJM/lld  
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FCC Mail Room

**High Cost Support**  
**2011-2012**

**HCS**

Date September 20, 2011

To: Marlene H. Dortch  
Office of Secretary  
Federal Communications Commission  
445 - 12th Street, SW  
Washington, DC 20554

Karen Majcher  
Vice President - High Cost and Low Income Division  
Universal Service Administrative Company  
2000 L Street, NW, Suite 200  
Washington, DC 20036

Re: CC Docket No. 96-45  
**High Cost Support**  
Annual Certification Filing

This is to certify that Windy City Cellular, LLC will use its HIGH COST SUPPORT only for the provision, maintenance and upgrading of facilities and services for which the support is intended consistent with section 254(e) of the Communications Act.

I am authorized to make this certification on behalf of the company named above. This certification is for the study area(s) listed below.

**HIGH COST SUPPORT**

Company Name	Status	State	Study Area Code
Windy City Cellular, LLC	Rural	AK	618012

(If necessary, attach a separate list of additional study areas and check this box.) ☐

Signed,

  
[Signature of Authorized Representative]

Date: 9/23/2011

Larry Mayes  
[Printed Name of Authorized Representative]

CEO/General Manager  
[Title of Authorized Representative]  
WINDY CITY CELLULAR, LLC  
1410 Rudakof Circle  
Anchorage, AK 99508-3106  
(907)222-0844

<div>Date Received (For official use only)</div>
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120 West Kansas Avenue  
P.O. Box 707  
Ulysses, Kansas 67880-0707

Tel: 620 / 356-3211  
Fax: 620 / 356-3242  
Internet: www.pioncomm.net

September 30, 2011

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✓ Marlene H. Dortch  
Office of Secretary  
Federal Communications Commission  
445 12<sup>th</sup> Street, SW  
Washington, DC 20554

Karen Majcher  
Vice-President-High Cost & Low Income Division  
Universal Service Administrative Company  
2000 L Street, NW Suite 200  
Washington, DC 20036

RE: **Rural Use Certification**  
Annual Certification Filing  
CC Docket No 96-45

This is to certify that Pioneer Telephone Association, Inc. will use all federal high cost support (High Cost Loop, Local Switching Support, Safety Net Additive, and Safety Valve Support) for only the provision, maintenance, and upgrading of facilities and services for which the support is intended, consistent with section 254(e) of the Communications Act.

I am authorized to make this certification on behalf of the company names above. This certification is for the study area listed below:

Company Name	State	Study Area Code
Pioneer Telephone Association, Inc	KS	411817

Signed,

A handwritten signature in black ink, appearing to read 'R. K. Veach', is written over a horizontal line.

Richard K. Veach  
CEO

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September 30, 2011

Marlene H. Dortch  
Office of Secretary  
Federal Communications Commission  
445 12<sup>th</sup> Street, SW  
Washington, DC 20554

Karen Majcher  
Vice-President-High Cost & Low Income Division  
Universal Service Administrative Company  
2000 L Street, NW Suite 200  
Washington, DC 20036

**RE: Rural Use Certification**  
Annual Certification Filing  
CC Docket No 96-45

This is to certify that WestLink Communications, LLC will use all federal high cost support (High Cost Loop, Local Switching Support, Safety Net Additive, and Safety Valve Support) for only the provision, maintenance, and upgrading of facilities and services for which the support is intended, consistent with section 254(e) of the Communications Act.

I am authorized to make this certification on behalf of the company names above. This certification is for the study area listed below:

Company Name	State	Study Area Code
WestLink Communications, LLC	KS	419015

Signed,

A handwritten signature in black ink, appearing to read "RK Veach", is written over a horizontal line.

Richard K. Veach  
CEO